
From: Michael Paul Bowen <MBowen@kasowitz.com>
Sent: Thursday, October 17, 2019 5:54 PM
To: Sabrina Streusand; Shelby Jordan
Cc: John Dellaportas (JDellaportas@EMMETMARVIN.COM); Stephen Lemmon; 'Jay H. Ong'; Williamson, Deborah; Kaufman, Aaron; Eric Taube; 'Brian T Cumings - Graves Dougherty Hearon & Moody (bcumings@gdhm.com)'; Berry Spears (bspears@kellerbenvenutti.com); 'Ray Battaglia'
Subject: RE: Genger // Pending Motions and Matters before the Court //

We'll confer and get back to you asap. Thanks.

From: Sabrina Streusand [mailto:Streusand@slollp.com]
Sent: Thursday, October 17, 2019 6:48 PM
To: Shelby Jordan <sjordan@jhwclaw.com>; Michael Paul Bowen <MBowen@kasowitz.com>
Cc: John Dellaportas (JDellaportas@EMMETMARVIN.COM) <JDellaportas@EMMETMARVIN.COM>; Stephen Lemmon <Lemmon@slollp.com>; 'Jay H. Ong' <jong@munsch.com>; Williamson, Deborah <DWilliamson@dykema.com>; Kaufman, Aaron <AKaufman@dykema.com>; Eric Taube <Eric.Taube@wallerlaw.com>; 'Brian T Cumings - Graves Dougherty Hearon & Moody (bcumings@gdhm.com)' <bcumings@gdhm.com>; Berry Spears (bspears@kellerbenvenutti.com) <bspears@kellerbenvenutti.com>; 'Ray Battaglia' <rbattaglia@outlook.com>
Subject: Genger // Pending Motions and Matters before the Court //

Michael,

We have spoken to the Trustee's counsel Brian Cummings and he has spoken to Ron Satija the Trustee. I understand that Brian on behalf of Ron would support the following proposal for handling the pending matters on the Court docket:

We would agree to put off the Motion to Show Cause, the Motion to Retain your firm as Special Counsel and the Trustee's 9019 Settlement Application (the "Three Motions") until **after** the October 31st hearing on the Motion to Dismiss or Transfer Venue. Once the Court decides the Motion to Dismiss or Transfer Venue, then we can determine if it makes sense to move forward with the pending discovery requests and the Three Motions. If that is agreeable to all parties, we would then ask the Court to reset the 23rd hearings to a status conference. In addition, we would agree to meet with all the parties to the various discovery motions on the morning of the 23rd hearing/status conference to see if we can come to an agreement on the discovery schedule and document production (which would only take place after the 31st hearing, if we can come to agreement on the documents' authenticity). As part of that meeting on the 23rd, we would ask whether any party has an objection to the exhibits attached to the Motion to Dismiss with respect to their authenticity (only). We will provide copies of the documents that we are asking each party to authenticate at the meeting (we have provided each party their own copies as part of the Order to seal and the rest are part of the unredacted exhibits to the Motion). If we can come to agreement on authenticity, we can avoid taking any discovery prior to the hearing on the 31st. We suggest that the foregoing is an efficient manner of handling the pending matters.

Please let me know if that works and if we can prepare a joint agreed motion for filing with the Court.

Thanks,

Sabrina

Sabrina L. Streusand

STREUSAND | LONDON | OZBURN | LEMMON LLP

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From: Shelby Jordan <sjordan@jhwclaw.com>
Sent: Thursday, October 17, 2019 5:10 PM
To: Michael Paul Bowen <MBowen@kasowitz.com>
Cc: Sabrina Streusand <Streusand@slolllp.com>; John Dellaportas (JDellaportas@EMMETMARVIN.COM) <JDellaportas@EMMETMARVIN.COM>; Stephen Lemmon <Lemmon@slolllp.com>
Subject: Re:

I think they are opposed, but may have an alternative suggestion. I can't speak for them.

Shelby

From: Michael Bowen <MBowen@kasowitz.com>
Date: Thursday, October 17, 2019 at 5:07 PM
To: Shelby Jordan <sjordan@jhwclaw.com>
Cc: Sabrina Streusand <Streusand@slolllp.com>, "John Dellaportas (JDellaportas@EMMETMARVIN.COM)" <JDellaportas@EMMETMARVIN.COM>
Subject: RE:

Thanks. What about Sagi counsel?

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From: Shelby Jordan [<mailto:sjordan@jhwclaw.com>]
Sent: Thursday, October 17, 2019 5:13 PM
To: Michael Paul Bowen <MBowen@kasowitz.com>
Cc: Sabrina Streusand <Streusand@slolllp.com>; John Dellaportas (JDellaportas@EMMETMARVIN.COM) <JDellaportas@EMMETMARVIN.COM>
Subject:

****EXTERNAL EMAIL****

Although you did not ask, in case you want to know, Dalia Genger opposes your request.

Shelby A. Jordan



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From: Michael Paul Bowen <MBowen@kasowitz.com>

Sent: Thursday, October 17, 2019 3:52 PM

To: Sabrina Streusand <Streusand@slollp.com>; BCummings@gdhm.com; Eric J. Taube <Eric.Taube@wallerlaw.com>

Cc: John Dellaportas <JDellaportas@EMMETMARVIN.COM>; Andrew R. Kurland <AKurland@kasowitz.com>

Subject: Genger Bankr - Motion to Continue Sagi Disqualification Motion

We plan to request that the Court adjourn the Oct 23 hearing date on Sagi's motion to show cause concerning disqualification of our firm as special counsel to the hearing date set for the pending trustee application to retain KBT and the Rule 9019 motion. Please let us know if you oppose, consent or otherwise. Thanks.

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